

Form 6A

FORM 6A. Supplemental in Forma Pauperis Form for Prisoners

FILED

AUG - 2 2012

SUPPLEMENTAL IN FORMA PAUPERIS FORM FOR PRISONERS U.S. DISTRICT COURT

By Deputy

AUTHORIZATION FORM

I, Larry Derek Blain, request and authorize the agency holding me in custody, to send to the Clerk of the United States Court of Appeals for the Federal Circuit a certified copy of the statement for the past six months of my trust fund account (or institutional equivalent) at the institution where I am incarcerated. I further request and authorize the agency holding me in custody to calculate and disburse funds from my trust fund account (or institutional equivalent) in the amounts specified by 28 U.S.C. § 1915(b). This authorization is furnished in connection with an appeal, and I understand that the total appellate filing fees for which I am obligated are \$450 or \$455. I also understand that these fees will be debited from my account regardless of the outcome of my appeal. This authorization shall apply to any other agency into whose custody I may be transferred.

7/25/12

Date

L. D. Blain
Petitioner's/Appellant's Signature

You must sign and date above. You must also complete the following Disclosure and sign and date the Declaration Under Penalty of Perjury below.

DISCLOSURE OF PRIOR FEDERAL ACTIONS

If you are presently incarcerated, have you ever before brought an action or appeal in a federal court while you were incarcerated or detained? _____ Yes ☒ No

If so, how many times? _____

Were any of the actions or appeals dismissed because they were frivolous, malicious, or failed to state a claim upon which relief may be granted? _____ Yes ☒ No

If so, how many of them? _____

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury, under the laws of the United States, that the foregoing is true and correct.

7/25/12

Date

L. D. Blain
Petitioner's/Appellant's Signature

cc: _____

FORM 6. Motion and Declaration for Leave to Proceed in Forma Pauperis

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

UNITED STATES OF AMERICA v. LARRY DEREK BLAIN

No. 3:11-CR-159-D

Motion and Declaration for Leave to Proceed in Forma Pauperis

INSTRUCTIONS: If you do not pay the fee, file this completed form with your petition for review or notice of appeal within 14 days of the date of docketing. Complete all questions in this application and then sign it. Do not leave any blanks; if the answer to a question is "0", "none", or "not applicable" (N/A), write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case docket number, and the question number. Failure to fully answer the questions may result in a denial of the motion.

Petitioner/Appellant hereby moves for leave to proceed in forma pauperis, pursuant to 28 U.S.C. § 1915, in this case and submits the following declaration in support thereof:

I, Larry Derek Blain, am the Petitioner/Appellant in the above-entitled case. In support of my motion to proceed on appeal without being required to pay the docketing fee, I state that I am unable to pay the fee because of my poverty; that I believe that I am entitled to redress; and that the issues which I desire to present on appeal are the following:
that the district court may have erred in enhancing my sentenced.

I further declare that the responses which I have made to the questions and instructions below relating to my ability to pay the docketing fee are true.

1. For both you and your spouse, estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 0	\$ N/A	\$ 0	\$ N/A
Self-employment	\$ 0	\$ N/A	\$ 0	\$ N/A
Income from real property (such as rental income)	\$ 0	\$ N/A	\$ 0	\$ N/A

FORM 6. Motion and Declaration for Leave to Proceed in Forma Pauperis (continued)

	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Interest and dividends	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Gifts	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Child support	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Public assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify) _____	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>

2. List your employment history for the past two years, most recent employer first.
(Gross monthly pay is pay before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
<u>N/A</u>			

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is pay before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
<u>N/A</u>			

4. Are you presently incarcerated? ☒ Yes ☐ No If so, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

FORM 6. Motion and Declaration for Leave to Proceed in Forma Pauperis (continued)

8. State the persons who rely on you or your spouse for support:

Initials of Person	Relationship	Age
<u>N/A</u>		

9. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your spouse
Rent or home mortgage payment (include lot rented for mobile home)	\$ <u>0</u>	\$ <u>N/A</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>0</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>N/A</u>
Food	\$ <u>0</u>	\$ <u>N/A</u>
Clothing	\$ <u>0</u>	\$ <u>N/A</u>
Laundry and dry cleaning	\$ <u>0</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>N/A</u>
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>N/A</u>
Life	\$ <u>0</u>	\$ <u>N/A</u>
Health	\$ <u>0</u>	\$ <u>N/A</u>
Motor vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments) (specify): _____	\$ <u>0</u>	\$ <u>N/A</u>

Form 6

FORM 6. Motion and Declaration for Leave to Proceed in Forma Pauperis (continued)

	You	Your spouse
Installment payments		
Motor vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Credit card (name): _____	\$ <u>0</u>	\$ <u>N/A</u>
Department store (name): _____	\$ <u>0</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>0</u>	\$ <u>N/A</u>

10. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

 Yes ☒ No

If yes, describe on an attached sheet.

11. Have you paid, or will you be paying, an attorney any money for services in connection with this case, including the completion of this form?

 Yes ☒ No

If yes, how much? \$ _____

If yes, state the attorney's name, address, and telephone number:

12. Have you paid, or will you be paying, anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

 Yes ☒ No

If yes, how much? \$ _____

If yes, state the person's name, address, and telephone number:

13. Provide any other information that will help explain why you cannot pay the docketing fees for your appeal or petition for review.

FORM 6. Motion and Declaration for Leave to Proceed in Forma Pauperis (continued)

14. Have you ever filed a motion for leave to proceed in forma pauperis in any other case in this court? ___ Yes ☒ No If yes, state the name and docket number of that case.

15. State the address of your legal residence:

LARRY DEREK BLAIN # 42973177 - KARNES A F.C.I.
P.O. Box 4200 THREE RIVERS, TX 78071

Your daytime phone number: () _____


Your age: 25 Your years of schooling: GRADUATED H.S.

You must sign and date the declaration under penalty of perjury.

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury, under the laws of the United States, that my answers on this form are true and correct.

7/25/12
Date


Petitioner's/Appellant's Signature
Larry Derek Blain

cc: _____

ORDER OF THE COURT

The motion to proceed in forma pauperis is DENIED. The docketing fee must be paid within 14 days.

The motion to proceed in forma pauperis is GRANTED. Let the applicant proceed without prepayment of the docketing fee.

Circuit Judge or Clerk Date

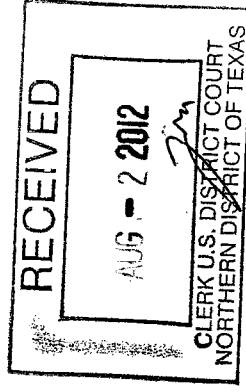
Circuit Judge or Clerk Date

Larry Derek Blain
#42973-177 K/A
Federal Correctional Institution
P.O. Box 4200
Three Rivers, Texas 78071

LEGAL MAIL



SAN ANTONIO TX 78203
30 JUL 2012 PM 5:11



Clerk, U.S. District Court
1100 Commerce St., Rm. 1452
Dallas, Texas 75242

75242131052

